

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA NORTHER DIVISION**

**HON. CHARLES S. COODY, MAG. JUDGE AT MONTGOMERY, ALABAMA**

**DATE COMMENCED: 9/1/05 AT**

**DATE COMPLETED: 9/1/05 AT Digital Recorded**

UNITED STATES OF AMERICA	*	
	•	2:39 p.m. to 2:55 p.m.
Plaintiff	*	
	*	
vs.	*	CASE NO.: 2:05MJ107-CSC
	*	
AGUSTIN CALIHUA-TZOMPAXTLE	*	
	*	
Defendant	*	

UNITED STATES OF AMERICA	*	<b>Digital Recorded</b>
	*	
Plaintiff	*	2:55 p.m. to 3:17 p.m.
	*	
vs.	*	CASE NO.: 2:05MJ108-CSC
	*	
ROGELIO GONZALEZ-OLTHEHUA	*	
	*	
Defendant	*	

<b>GOVERNMENT</b>	<b><u>APPEARANCES:</u></b>	<b>DEFENDANT</b>
	*	
Atty. SUSAN REDMOND	*	ATTY. CHRISTINE FREEMAN
	*	

**COURT OFFICIALS PRESENT:**

<b>COURTROOM DEPUTY: WANDA STINSON</b>	<b>INTERPRETER : BEVERLY CHILDRESS</b>
<b>COURT REPORTER: RISA ENTREKIN</b>	

( X ) OTHER PROCEEDINGS: **PRELIMINARY HEARING**

**SEE MINUTES ATTACHED**

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED			
<b>Description</b>	Preliminary Hrg -		
<b>Date</b>	9 / 1 /2005	<b>Location</b>	Courtroom 4B
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
2 :39:05 PM	Court	Court convenes; Interpreter sworn and placed under oath;	
2 :39:19 PM	Atty. Freeman	Ask to begins with case of Calihua-Tzompaxtle;	
2 :40:06 PM	Atty. Redmond	Calls Agent Blake Diamond; witness is sworn and seated; Discussion as to the traffic stop of defendant; Discussion as to obtaining and investigation of social security card;	
2 :44:04 PM	Atty. Freeman	Cross examination of witness; Discussion as to the stop of the deft; Discussion defts possession of social security card; Discussion of the I-9 form;	
2 :54:08 PM	Atty. Redmond	Re-direct of witness; Discussion of name of	
2 :54:25 PM	Court	Witness is excused;	
2 :54:34 PM	Court	Court finds probable cause that the deft committed a crime and will be held for further proceedings; Discussion as to the detainer still lodged against deft;	
2 :55:06 PM	USA vs. Gonzalez-Olthehua	Preliminary hrg begins;	
2 :55:15 PM	Atty. Redmond	Calls Agent Blake Diamond; Discussion as to the traffic stop and the arrest of the deft; Discussion of earning statement found in vehicle; Discussion of I-9 form;	
3 :06:44 PM	Atty. Freeman	Cross Examination of witness; Discussion of the completed I-9 form; Discussion of affidavit in complaint;	
3 :16:47 PM	Court	Witness is excused;	
3 :16:55 PM	Court	Court finds probable cause to believe the deft violated the facts stated in the complaint; Discussion as to the detainer on deft;	
3 :17:13 PM	Court	Court is recessed.	